

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 29-66 are pending. Claims 1-28 were canceled in a previous amendment without prejudice or disclaimer. No claims are amended or newly added.

In the outstanding Office Action, Claims 29-52 and 58-66 were rejected under 35 U.S.C. § 102(e) as anticipated by Franet et al. (U.S. Patent Pub. 2002/0174634, now U.S. Patent No. 6,758,031, herein "Franet"). The outstanding Office Action refers to Franet '634 as the reference cited in the rejection of Claims 29-52 and 58-66. However, as discussed in the telephone interview conducted on October 4, 2006, the outstanding Office Action refers to column and line numbers, which are from the issued patent, not the publication, when citing specific sections of the reference. Accordingly, the outstanding Office Action is actually referring to the issued **patent** related to the publication 2002/0174634. In other words, the cited reference is U.S. Patent No. 6,758,031 to Franet. Claims 53-57 were allowed. Applicants note with appreciation the allowance of Claims 53-57.

Applicants further express appreciation for the courtesy of a telephone interview granted by Primary Examiner Arpad Kovacs to Applicants' representative conducted on October 4, 2006, during which the arguments presented below were discussed. The following remarks, in conjunction with the Interview Summary provided by Primary Examiner Kovacs, substantially summarize the content of the interview as required under MPEP § 713.04.

Regarding the rejection of Claim 29 as anticipated by Franet, that rejection is respectfully traversed by the present response.

Independent Claim 29 recites:

An agricultural machine including a carrying vehicle
and plural work units configured to cut a standing product, the

work units being connected to the carrying vehicle, the agricultural machine comprising:

at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and

at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,

wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position.

At least two front work units are arranged at a front of a carrying vehicle. At least two lateral work units are arranged on either side of the carrying vehicle. The at least two lateral work units are outside of a work area of the front work units. Accordingly, independent Claim 29 recites that the agricultural machine includes at least four work units.

As discussed in the interview, Franet fails to disclose four work units, much less four work units arranged as recited in independent Claim 29. Rather, as shown in Fig. 1 and Fig. 2, Franet describes three mowing units (14), all of which are located in front of the carrier vehicle (12). In describing the figures, Franet states:

On the basis of the above description, the result is the following drive concept, where the assumption is that three mowing units 14 are used.¹

Accordingly, Franet describes a triangular arrangement of only three individual mowing units (14) located toward the front of the carrier vehicle (12). Nowhere in Franet is an embodiment with four working units disclosed. Moreover, even if Franet were to describe four working units, Franet is devoid of any teaching or suggestion that the working units would be arranged in the specific positions recited in independent Claim 29.

The outstanding Office Action cites Franet, col. 1, line 44 and col. 3, lines 60-67 for the feature of multiple work units. However, Applicants respectfully submit that the mowing units (14) discussed in the sections of Franet cited in the outstanding Office Action do not

¹ Franet, col. 5, lines 46-48.

correlate to the **four** work units arranged in the particular positions recited in independent Claim 29. Rather, the mere description of a “mowing head or heads” in Franet means only that more than one mowing head is provided by Franet, not that at least two front work units are arranged in front of a carrying vehicle and at least two lateral work units are arranged on either side of the carrying vehicle and outside of a work area of the front work units as recited in independent Claim 29. The first section cited in the outstanding Office Action states:

An object of the invention is to provide a mower unit suspension that allows the cutting angle to be easily adjusted from an operator's platform, so that this is utilized optimally and the correct cutting angle is selected each time. For example, at the edge of a field a flat cutting angle of 0 degrees can be selected so that no stones or the like are picked up which could damage the mowing head or heads or contaminate the forage, while after the first pass of the mower the cutting angle is repositioned to approximately 4 to 6 degrees, so that the remaining stubble is not too high. Such a repositioning arrangement that can be controlled remotely may be a mechanical linkage as well as a push-pull cable control, a hydraulic motor or an electric motor which, in particular, can be controlled electrically.²

The second section of Franet cited in the outstanding Office Action regarding multiple work units states:

The mowing units 14 are configured nearly identically and kept in the form of a known front mowing head. In a manner not shown each mowing unit is equipped with a mowing head that may be configured, for example, as a disk mowing head, drum mowing head or as a cutter bar. If desired, the mowing head can be followed downstream by a processing arrangement, for example, a stalk crimping or conditioning arrangement or the like. In any case, each mowing unit 14 includes a housing 20, a rear swath-forming arrangement 22, a flange region 24 and a power-distributing transmission or gearbox 26.³

Applicants respectfully submit that neither of the sections of Franet cited in the outstanding Office Action in any way discloses the four work units and corresponding arrangement recited in independent Claim 29.

² Franet, col. 1, lines 38-51.

³ Franet, col. 3, lines 60-67.

Accordingly, Applicants respectfully submit that independent Claim 29 patentably distinguishes over Franet for at least the reasons discussed above.

Each of independent Claims 31, 32, and 49 recites substantially similar features to those discussed above regarding independent Claim 29. Accordingly, Applicants respectfully submit that Claims 31, 32, and 49 patentably distinguish over Franet for at least the reasons discussed above.

Claims 30, 33-48, and 50-52, and 58-66 each depend, directly or indirectly, from one of independent Claims 29, 31, 32, and 41. Accordingly, Applicants respectfully submit Claims 30, 33-48, 50-52, and 58-66 patentably distinguish over Franet for at least the same reasons as the claims from which they depend.

Applicants wish to make the following remarks regarding several examples of additional features patentably distinguishing dependent claims over the cited reference.

Dependent Claim 59 recites:

An agricultural machine as claimed in claim 29,
wherein the lateral work units are offset in a direction opposite
to the direction of forward travel from the front of the carrying
vehicle during work.

Accordingly, the lateral work units are offset from the front of the carrying vehicle. The offset is made in a direction opposite to the direction of forward travel of the carrying vehicle.

In contrast, as shown in Figs. 1 and 2, Franet describes three mowing units (14) disposed only in **front** of the carrier vehicle (12). No offset is made in a direction **opposite** to the direction of forward travel of the carrier vehicle (12). Accordingly, Applicants respectfully submit that dependent Claim 59 further patentably distinguishes over Franet for at least the additional reasons discussed above.

Dependent Claims 61, 63, and 65 recite substantially similar features to those discussed above regarding dependent Claim 59. Accordingly, dependent Claims 61, 63, and

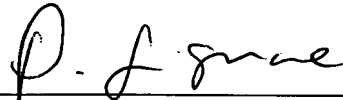
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65 patentably distinguish over Franet for at least the additional reasons discussed above regarding dependent Claim 59.

Consequently, in light of the above discussion, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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